ಆ. ಹಾಗಿದ್ದಲ್ಲಿ, ಹಣ ಬಿಡುಗಡೆಗೆ ವಿಳಂಬವಾಗಲು ಕಾರಣಗಳೇನು?

ದಿನಾಂಕ:05–06–2007ರ ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ:ನಅಇ 23 ಎಸ್‌ಎಫ್‌ಸಿ 2007ರಲ್ಲಿ ಮಂಡ್ಯ ನಗರಸಭೆಯು ಸೇರಿದಂತೆ ವಿವಿಧ ಜಿಲ್ಲೆಗಳ ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ನಿಗದಿತ ಅನುದಾನವನ್ನು ಸೀಮಿತಗೊಳಿಸಿ ಬಿಡುಗಡೆ ಮಾಡಲಾಗಿರುತ್ತದೆ.

ಇ. ಮಂಡ್ಯ ನಗರಸಭಾ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಸ್ಥಗಿತಗೊಂಡ ಕಾಮಗಾರಿಗಳನ್ನು ಕೈಗೆತ್ತಿಕೊಳ್ಳಲು ಅನುಕೂಲವಾಗುವಂತೆ ಸಕಾಲದಲ್ಲಿ ಹಣ ಬಿಡುಗಡೆ ಮಾಡಲು ಸರ್ಕಾರದ ತುರ್ತು ಕ್ರಮಗಳೇನು?

ಎಸ್‌ಎಫ್‌ಸಿ ಮುಕ್ತನಿಧಿಯಿಂದ ಮಂಡ್ಯ ನಗರಸಭೆಗೆ ಪ್ರತಿ ವರ್ಷ ಬಿಡುಗಡೆಯಾಗುವ ಅನುದಾನವನ್ನು ಉಪಯೋಗಿಸಿಕೊಂಡು ಸದರಿ ಕಾಮಗಾರಿಗಳನ್ನು ಪೂರ್ಣಗೊಳಿಸಬಹುದಾಗಿದೆ.

1. ಚುಕ್ಕೆ ಗುರುತಿಲ್ಲದ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ : (443)271
2. ಸದಸ್ಯರ ಹೆಸರು : ಶ್ರೀ.ಶ್ರೀನಿವಾಸ್.ಎಂ.(ಮಂಡ್ಯ)
3. ಉತ್ತರಿಸುವವರು : (ಶ್ರೀ.ಬಿ.ಎಸ್.ಯಡಿಯೂರಪ್ಪ)
: ಮಾನ್ಯ ನಗರಾಭಿವೃದ್ಧಿ ಸಚಿವರು

1. ಮಂಡ್ಯ ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರವು ಇಲ್ಲಿಯವರೆವಿಗೆ ನಿರ್ಮಿಸಿರುವ ಬಡಾವಣೆಗಳೆಷ್ಟು ಮತ್ತು ಎಷ್ಟು ಫಲಾನುಭವಿಗಳಿಗೆ ನಿವೇಶನಗಳನ್ನು ಹಂಚಿಕೆ ಮಾಡಿದೆ;

ಮಂಡ್ಯ ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರವು ಇಲ್ಲಿಯವರೆಗೆ ಮೂರು ಬಡಾವಣೆಗಳನ್ನು ರಚನೆ ಮಾಡಿದೆ ಇದರಲ್ಲಿ ವಿವಿಧ ಅಳತೆಯ **2837** ನಿವೇಶನಗಳನ್ನು ಹಂಚಿಕೆ ಮಾಡಲಾಗಿದೆ.

2. ನಿವೇಶನಗಳನ್ನು ಬಯಸಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದವರ ಸಂಖ್ಯೆ ಎಷ್ಟು;

ಬೇಡಿಕೆ ಸಮೀಕ್ಷೆ ಮಾಡಲಾಗಿ ನಿವೇಶನ ಬಯಸಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದವರ ಒಟ್ಟು ಸಂಖ್ಯೆ **33,065**.

3. ನಿವೇಶನಗಳ ಹಂಚಿಕೆಗಾಗಿ ಹೊಸ ಬಡಾವಣೆಗಳನ್ನು ರಚಿಸುವ ಪ್ರಸ್ತಾವನೆ ಮತ್ತು ಕ್ರಿಯಾ ಯೋಜನೆಗಳೇನು;

ಹೊಸ ಬಡಾವಣೆ ರಚಿಸಲು ಕ್ಯಾತುಂಗೆರೆ ಪ್ರದೇಶದಲ್ಲಿ **74** ಎಕರೆ **07** ಗುಂಟೆ ಹಾಗೂ ಹಾಲಹಳ್ಳಿ, ಗುತ್ತಲು ಗ್ರಾಮದ ಪ್ರದೇಶದಲ್ಲಿ **132** ಎಕರೆ **11** ಗುಂಟೆ ಒಟ್ಟು **206** ಎಕರೆ **18** ಗುಂಟೆ ಜಮೀನನ್ನು ಬಡಾವಣೆ ರಚಿಸುವ ಕುರಿತು ಗುರುತಿಸಲಾಗಿದ್ದು, ಈ ಬಗ್ಗೆ ಸಾರ್ವಜನಿಕರಿಂದ ತಕರಾರು ಬಂದಿದ್ದು ಯೋಜನೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಜಮೀನುಗಳಲ್ಲಿ ಬಂದಿರುವ ಅಭಿವೃದ್ಧಿ ಚಟುವಟಿಕೆಗಳ ಬಗ್ಗೆ

ಸಂಪೂರ್ಣ ವರದಿಯೊಂದಿಗೆ ಪ್ರಾಧಿಕಾರದ ಸಭೆಯಲ್ಲಿ ಮಂಡಿಸಿ ತೀರ್ಮಾನಿಸಲಾಗುವುದು.

4. ನಿವೇಶನ ರಹಿತ ಬಡ–ಮಧ್ಯಮ ವರ್ಗದ ಜನರಿಗೆ ನಿವೇಶನಗಳನ್ನು ಹಂಚಲು ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರದ ಕ್ಷಿಪ್ರ ಕ್ರಮಗಳೇನು?

ಈ ಮೇಲ್ಕಂಡ ಯೋಜನೆಯು ಅನುಷ್ಠಾನಗೊಂಡ ನಂತರ ನಿಯಮಾವಳಿಗಳಂತೆ ನಿವೇಶನ ರಹಿತ ಬಡ ಮಧ್ಯಮ ವರ್ಗದ ಜನರಿಗೆ ನಿವೇಶನಗಳನ್ನು ಹಂಚಿಕೆ ಮಾಡಲು ಕ್ರಮ ವಹಿಸಲಾಗುವುದು.

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STOP PRESS

THE KARNATAKA TOWN AND COUNTRY PLANNING AND CERTAIN OTHER LAWS (AMENDMENT) ACT,2004 (KARNATAKA ACT No. 1 OF 2007)

(First published in the Karnataka Gazette, Extraordinary on the Sixth day of February, 2007)

(Received the assent of the Governor on the third day of February,2007)

An Act further to amend the Karnataka Town and Country Planning Act, 1961, the Karnataka Municipal Corporations Act, 1976 and the Karnataka Municipalities Act, 1964.

Whereas, it is expedient further to amend the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) and the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964).

Be it enacted by the Karnataka State Legislature in the Fifty-Fifth year of the Republic of India, as follows:-

1. Short title and commencement,-(1) This Act may be called the **Karnataka Town and Country Planning and Certain Other Laws (Amendment) Act, 2004.**

(2) It shall come into force on such date as the State Government may, by notification appoint.

2. Amendment of Karnataka Act 11 of 1963.- In the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), after Section 76-F, the following shall be *inserted,* namely.-

"76-FF. Regularisation of certain development and change of land use.-(1) Notwithstanding anything contained in this Act, where any land has been developed or change in land use is made in contravention of Sections 14, 14-A, 15, 17 or the Regulations or in contravention of commencement certificate granted under Section 15, the Planning Authority may regularize such development and change of land use made prior to the date of commencement of the Karnataka Town and Country Planning and Certain Other Laws (amendment) Act, 2004, subject to such rules as may be prescribed and on Payment of the prescribed amount, which may be different for different purposes, but not exceeding the estimated cost of the development

(2) No such development or change in land use referred to in sub-section (1) shall be regularized. If it is made.--

(i) in the land affected by the alignments of any road or of proposed inner ring road, National Highways, bypass road, outer ring road or mass rapid transit system (rail) projects;

(ii) on the land belonging to the State Government or the Central Government or appurtenant to any building belonging to the State Government or the Central Government;

(iii) on the land belonging to an other person over which the former has not title;

(iv) on the land belonging to any Board or Corporation owned or controlled by the Central Government or the State Government;

(v) on the land belonging to, or vested in, any Urban Development Authority or Bangalore Development Authority;

(vi) on the land belonging to, or vested in, a local authority;

(vii) on the land abutting to storm water drains, tank bed areas, river course or beds and canals or below the high tension electric line;

(viii) in land reserved for parks, playgrounds, open space or for providing civic amenities.

(3) No development being a special and hazardous industry or an industry categorized as "RED" by the Karnataka Pollution Control Board shall be regularized in a non-conforming zone. Even in a conforming zone, it shall be regularized only with the clearance from the Karnataka Pollution Control Board.

(4) No development shall be regularized unless ir conforms in respect of clearance from high-tension lines and fire protection measures.

(5) No development shall be regularized in the area covered by the Coastal Zone Regulations of the Ministry Environment and Forest, Government of India.

(6) No development made in basement or usage in contravention of bye-law shall be regularized.

(7) No development in violation of set back norms exceeding twenty-five per cent in case of non-residential buildings and fifty per cent in case of residential buildings shall be regularized.

(8) No development shall be regularized unless the violation in respect of change in land use is first regularized.

(9) No development where the violation is in excess of such prescribed limit but not exceeding fifty per cent of permissible floor area ratio in respect of residential buildings and nor exceeding twenty-five per cent of permissible floor area ratio in respect of non-residential buildings shall be regularized and different maximum limit

Provided that where such development resulting in violation is in excess of prescribed limit, such development shall not be regularized unless the development resulting in violation is brought down within the regularisable limit under this Act.

(10) Regularisation of violation in respect of change of land use shall be made as far as may be in accordance with Section 14-A.

(11) No development in respect of any building having more than two floors shall be regularized unless a certificate from a Structural Engineer is produced regarding the structural stability of such building.

(12) In case of a owner of the building who has made unauthorized construction in violation of the norms or zonal regulation and do not apply for regularization within the

prescribed time, the supply of water and electricity to the, building shall be liable to be disconnected with prior notice.

(13) Any person seeking regularization under this section shall make an application to the Planning Authority within three months from the date of commencement of the Karnataka Town and Country Planning and Certain Other Laws (Amendment) Act, 2004.

(14) No unauthorized construction or development made in agricultural zone of approved Master Plan or green belt area declared under Karnataka Land Revenue Act, 1964 shall be regularized.

(15) No person shall be liable to pay fine or fee for regularization under any other law if he has paid regularization fee under this Act for the same violations.

(16) All payments made under sub-section (1) shall be credited to a separate fund kept in the concerned Local/Planning Authority called the urban areas infrastructure Development fund which shall be utilized in such manner, for the development of infrastructure, civic amenities, lighting, parks, drinking water, drainage system and for any other infrastructure, as may be prescribed.

76-FFF. Penalty against jurisdictional officer failing to prevent unauthorized deviations or constructions.- The jurisdica=tional officer who is proved to have failed to prevent unauthorized deviation or construction that habe taken place in his hurisdication shall be liable for such punishment as may be prescribed".

3. Amendment of Karnataka Act 14 of 1997.- In the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), afterSection 321, the following shall be *inserted,* namely.-

"321-A. Regularisation of certain unlawful buildings.—(1) Notwithstanding anything contained in this Act, when construction of any building is completed in contravenmtion of the Sections 300 and 321 and builsing by laws made under Section 423, the Commissioner on rules in may be prescribed and on payment of the maount specified in sub-section (2), namely.—

(a) Where the building is built abutting the neighbouring property or where the set back provided is less than the limit prescribed in bye-laws, violation upto twenty-five per cent in case of non-

residential buildings and fifty per cent in case of residential buildings shall be regularized.

(b) No development made in the basement or usage in contravention of bye-law shall be regularized;

(c) The construction of building shall not be regularized if it violates the building line specified on any given road unless the owners of such building furnish an undertaking that the space between the building line and the road or footpath or margin will be given up free of cost at any time when required for the prupose of widening the road in question;

(d) The provisions of sub-sections (2) to (14) of Section 76-FF of the Karnataka Town and Country Planning Act, 1961, shall apply *mutatis mutandis* for regularization of building under this section and application for regularization being made to the Commissioner or the Chef Officer, as the case may be.

(2) Regularisation of any construction under this section shall be subject to payment of the prescribed amount which may be different for different types of contravention of building bye-laws:

Provided that the amount so prescribed shall not be less than.-

(i) ten cent opf the market value, determined in accordance with the Karnataka Stamp Act, 1957 and rules made thereunder, of the portion of the building built in violation of the provisions referred to above, if such violation of set back norms and permissible floor area ratio does not exceed twenty-five per cent;

(ii) twenty-five per cent of the market value, determined in accordance with the Karnataka Stamp Act, 1957 and the rules made thereunder, of the portion of the building built in violation of the provisions referred to above, if such violation of set back norms and permissible floor area ratio exceeds twenty-five per cent but does not exceed firty per cent:

Provided further that where the portion of the building is built in violation of the provisions referred to above is being used or meant for non-residential purpose and amount payable for regularization of such portion shall be.-

(i) ten cent opf the market value, determined in accordance with the Karnataka Stamp Act, 1957 and rules made thereunder, of the portion of the building built in violation of the provisions referred to above, if such violation of set back norms and

permissible floor area ratio does not exceed twenty-five per cent;

(ii) twenty-five per cent of the market value, determined in accordance with the Karnataka Stamp Act, 1957 and the rules made thereunder, of the portion of the building built in violation of the provisions referred to above, if such violation of set back norms and permissible floor area ratio exceeds twenty-five per cent but does not exceed firty per cent:

(3) No person shall be liable to pay fine or fee for regularization under any other law if he has paid regularization fee under this Act for the same violations.

(4) All payments made under sub-section (1) shall be credited to a separate fund kept in the concerned local/planning authority called the urban areas infrastructure development fund which shall be utilized in such manner; for the development of infrastructure, civic amenities, lighting, parks, drinking water, drainage system and for any other infrastructure, as may be prescribed.

321-B. Penalty against jurisdictional officer failing to prevent unauthorized deviations or constructions.- The jurisdicational officer who is proved to have failed to prevent unauthorized deviation or construction that habe taken place in his jurisdiction shall be liable for such punishment as may be prescribed".

4. Amendment of Karnataka Act 22 of 1964.- In the Karnataka Municipalities Act (Karnataka Act 22 of 1964), after Section 187, the following shall be *inserted,* namely.-

"187-A, Regularisation of certain unlawful building.- (1) Notwithstanding anything contained in this Act, when construction of any building is completed in contravention of Section 187 and building bye-laws, the Municipal Commissioner or the Chief Officer, as the case may be, may regularize building constructed prior to the date of commencement of the Karnataka Town and Country Planning and Certain Other Laws (Amendment) Act, 2004, subject to the following restrictions and such rules as may be prescribed and on payment of the amount specified in sub-section (2), namely.-

(a) Where the building is built abutting the neighbouring property or where the set back provided is less than the limit prescribed in bye-laws, violation upto twenty-five per cent in case of

non-residential buildings and fifty per cent in case of residential buildings shall be regularized;

(b) No development made in the basement or usage in contravention of bye-law shall be regularized;

(c) The construction of a building shll not be regularized if it violates the building line specified on any given road unless tha owners of such buildings line and the road unless the owners of such building furnish an undertaking that the space between the building line and the road or footpath or margin will be given up free of

(d) The provisions of sub-sections (2) to (14) of Section 76-FF of the Karnataka Town and Country Planning Act, 1961, shall apply *mutatis mutandis* for regularization of building under this section and the application being made to the Municipal Commissioner or the Chief Officer, as the case may be.

(2) Regularisation of any construction under this section shall be subject to payment of the prescribed amount which may be different for different types of contravention of building bye-laws:

Provided that the amount so prescribed shall not be less than.-

(i) ten cent opf the market value, determined in accordance with the Karnataka Stamp Act, 1957 and rules made thereunder, of the portion of the building built in violation of the provisions referred to above, if such violation of set back norms and permissible floor area ratio does not exceed twenty-five per cent;

(ii) twenty-five per cent of the market value, determined in accordance with the Karnataka Stamp Act, 1957 and the rules made thereunder, of the portion of the building built in violation of the provisions referred to above, if such violation of set back norms and permissible floor area ratio exceeds twenty-five per cent but does not exceed firty per cent:

Provided further that where the portion of the building is built in violation of the provisions referred to above is being used or meant for non-residential purpose and amount payable for regularization of such portion shall be.-

(i) ten cent opf the market value, determined in accordance with the Karnataka Stamp Act, 1957 and rules made thereunder, of the portion of the building built in violation of the provisions referred to above, if such violation of set back norms and

permissible floor area ratio does not exceed twenty-five per cent;

(ii) twenty-five per cent of the market value, determined in accordance with the Karnataka Stamp Act, 1957 and the rules made thereunder, of the portion of the building built in violation of the provisions referred to above, if such violation of set back norms and permissible floor area ratio exceeds twenty-five per cent but does not exceed firty per cent:

(3) No person shall be liable to pay fine or fee for regularization under any other law if he has paid regularization fee under this Act for the same violations.

(4) All payments made under sub-section (1) shall be credited to a separate fund kept in the concerned local/planning authority called the urban areas infrastructure development fund which shall be utilized in such manner; for the development of infrastructure, civic amenities, lighting, parks, drinking water, drainage system and for any other infrastructure, as may be prescribed.

187-B. Penalty against jurisdictional officer failing to prevent unauthorized deviations or constructions.- The jurisdicational officer who is proved to have failed to prevent unauthorized deviation or construction that habe taken place in his jurisdiction shall be liable for such punishment as may be prescribed".

THE KARNATAK MUNICIPAL CORPORATIONS (AMENDMENT) RULES, 2006

NORIFICATION

No. UDD 270 MNU 2005, Bangalore, dated 24th May, 2006

Karnataka Gazette, Extraordinary No.560, dated 24-5-2006

Whereas, the draft of the following rules further ro amend tha Karnataka Municipal Corporations Rules, 1977, which the Government of Karnataka proposes to make in exercise of the power conferred by Section 421 read with Section 91 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), was published in Notification No. IDD 270 MNU 05, dated 23-2-2006, in Part IV-A of the Karnataka Gazette, dated 23-2-2006, inviting objections and suggestions from all persons likely to be affected

thereby within 30 days from the date of publication of the said notification in the Official Gazette.

Whereas, the Gazette was made available on 23-2-2006.

And whereas, no objections and suggestions have been received by the State Government.

Now, therefore in exercise of powers conferred by Section 421 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.-(1) These rules may be called the **Karnataka Municipal Corporations (Amendment) Rules, 2006.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule 26.- In Rule 26 of the Karnataka Municipal Corporations Rules, 1977, in the table, under the heading "Bangalore City Corporation" under the sub-heading (A) Administration, after Sl. No. 8-B, the following shall be *substituted,* namely.-

"8-C	Additional Council Secretary	By promotion from the cadre of Junior Law Officer/Assistant Revenue Officer on the basis of combined seniority provided that Junior Law Officer/Assistant Revenue Officer shall exercise an irrevocable option at the